



**City of Las Vegas
Business Licensing Division
Compliance/Enforcement Section**

**RESPONSIBLE
PARTY**

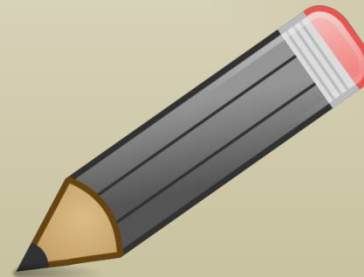
PURPOSE

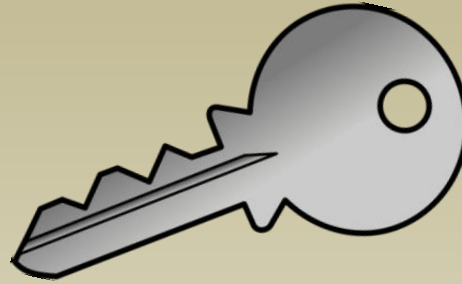
The purpose of this educational module is to provide regulatory information as it pertains to the Responsible Party of Establishments licensed to conduct business within the City of Las Vegas jurisdiction.

Compliance regulations contained in Las Vegas Municipal Code and Nevada Revised Statutes will be discussed. Public health, safety and welfare require that privileged license establishments be regulated and licensed in order to protect the public.

AGENDA

1. **Responsible Party Defined**
2. **Definitions**
3. **Suitability**
4. **Application Process**
5. **Responsibilities of Responsible Party**
6. **Minimum Duties**
7. **Inspection Process**
 - ✓ Purpose and Frequency
 - ✓ Contact with License Officers and Expectations
 - ✓ Investigative and Enforcement Powers
 - ✓ Inspection forms
 - ✓ Inspection Results
8. **Summary**
9. **References**
10. **Q & A**





What is a Responsible Party?

A Responsible Party is an owner, principal, or key employee of the business. An owner or principal can designate a key employee to oversee the operations of the business in their absence. All Responsible Parties must be approved for suitability pursuant to LVMC 6.06.060.

DEFINITIONS

Las Vegas Municipal Code 6.50.020

"Key employee" means an employee designated by a business licensee to oversee the operations of the business in the absence of the licensee.

Las Vegas Municipal Code 6.02.010

"Principal" means:

(A) Any person who is an officer, director, trustee, personal representative or general partner or who has an ownership interest in or voting control of the business equal to or greater than ten percent of the entire ownership or voting control of such business. If the ownership interest or voting control is held by a person other than an individual, then each officer, director, trustee, personal representative or general partner of such person is a principal;

(B) Any person who is or will be directly engaged in the administration or supervision of the business; and

(C) Any other person if, in the Director's opinion, the person exercises, or is capable of exercising, significant influence over the business, including, but not limited to, a natural person or corporate entity that provides a source of funding for the initial capitalization and/or the ongoing payment of expenses for the business.

DEFINITIONS

Las Vegas Municipal Code 6.52.090(A) - Massage

"Qualified person" means a principal who has been approved for suitability pursuant to LVMC 6.06.060 or a manager who has been approved for suitability pursuant to that Section as in the case of a principal.

Las Vegas Municipal Code 6.69.120 - Reflexology

"Qualified person" means a principal who has been approved for suitability pursuant to LVMC 6.69.070 and 6.69.080 or a manager who has been approved for suitability pursuant to those Sections as in the case of a principal.

SUITABILITY

Las Vegas Municipal Code 6.06.060 Suitability Approval—Required of Each Principal

Each principal must be approved for suitability in order to be associated with a business subject to this Chapter. The Director shall consider the suitability of each principal for licenses issued under the provisions of Chapters 6.06A, 6.06B, 6.12, 6.14, 6.18, 6.35, 6.47, 6.51, 6.53, 6.69, 6.74 and 6.84, and the City Council shall consider the suitability of each principal for all other categories of privileged license.

Las Vegas Municipal Code 6.06.070 Suitability Approval—Application Contents

(A) The application for approval for suitability shall be filed with the Department on forms acceptable to the Department. The applicant shall furnish all the information required by the Department, covering at least the ten-year period immediately preceding the date of filing the application, including but not limited to, the following:

- (1) The applicant's personal and family history;
- (2) If requested by the Department in accordance with a written policy established by the Director, the applicant's present and past financial position and history;
- (3) The applicant's criminal history and civil and administrative litigation history;
- (4) The applicant's education, training, employment, business and professional history; and
- (5) The applicant's past and proposed affiliation with the licensee.

(B) The Department is authorized to require disclosure of any information that reasonably relates to the applicant's qualification, acceptability or fitness for an approval for suitability

SUITABILITY

Las Vegas Municipal Code 6.06.080 Suitability Approval – Application Completion

(A) The application must be signed and verified by the applicant under oath.

(B) The applicant shall submit to fingerprinting and photographing, shall authorize the City in writing to obtain information from the past and present employers, criminal justice agencies, financial institutions, Federal, State and local governments and agencies, and other persons and entities, and shall consent in writing to the release of such information to the City for use in connection with the application for approval for suitability and other City business regulations. The applicant shall also sign a release of claims and a hold harmless agreement to the City for its use of the information provided by the applicant or discovered during any investigation thereof.

(C) Each applicant for a license within the following categories shall be subject to the provisions of Subsection (D) of this Section:

- | | |
|------------------------------------|--|
| (1) Adult nightclub establishment; | (8) Massage establishment; |
| (2) Alcoholic beverage; | (9) Pawnbroker; |
| (3) Burglar alarm services; | (10) Psychic arts and science; |
| (4) Erotic dance establishment; | (11) Reflexology; |
| (5) Gaming; | (12) Secondhand dealer; and |
| (6) Ice cream truck; | (13) Teenage dancehall or teenage nightclub. |
| (7) Locksmith and safe mechanic; | |

SUITABILITY

Las Vegas Municipal Code 6.06.080 Suitability Approval – Application Completion

(Continued)

(D) In the case of the license categories listed in Subsection (C) of this Section, applicants are required to submit to fingerprinting for purposes of a fingerprint check through the Federal Bureau of Investigation (FBI). In each such case:

- (1) A complete set of fingerprints will be taken and will be forwarded to the Central Repository for Nevada Records of Criminal History.
- (2) The Central Repository for Nevada Records of Criminal History is authorized to submit the fingerprints to the FBI for its report and to exchange fingerprint data with the FBI.
- (3) The purpose for the submission of fingerprints is to allow for a State and Federal criminal records investigation regarding the applicant to determine suitability for licensing relative to the specified type of business.

(E) The provisions of Subsections (C) and (D) of this Section are adopted under the authority of, and consistent with, NRS 239B.010(1)(a) and Public Law 92-544, and should be read and interpreted in connection therewith

PRIVILEGE LICENSE

Application Process

PRIVILEGE LICENSE APPLICANTS PLEASE NOTE

Privilege license applications are taken by appointment Monday through Thursday from 8:30 to noon and again from 2 to 4 p.m. No appointments are taken from noon until 2 p.m. Different business types require different levels of information. Print a copy of the instruction sheet from the list on the next slide for the business type you are interested in obtaining a license for and prepare the required forms prior to your appointment. Incomplete applications will not be accepted. You may make an appointment online [here](#) or by calling (702) 229-1840.



**City of Las Vegas
Development Services Center
333 N. Rancho Dr.
Las Vegas, NV 89106**

PRIVILEGE LICENSE

Privilege licenses are required for those businesses that have been determined by the City Council to potentially affect the economic, social and moral well-being of the city and its residents and therefore require a high degree of supervision. These business licenses are granted after a background investigation conducted by the Metropolitan Police Department and many only by special approval of the City Council or the director of Planning.

Establishment Type and Code Reference	Instruction Sheet
Adult Nightclub – LVMC 6.06B	Adult Nightclub Establishment with no Alcohol
Alcohol – LVMC 6.50	Alcohol and Alcohol License Information PL231
Auctions and Auctioneers – LVMC 6.14	Auctions and Auctioneers
Burglar Alarm - LVMC 6.18	Burglar Alarm
Erotic Dance – LVMC 6.35	Erotic Dance
Escort Bureau – LVMC 6.36	Escort Bureau
Gaming – LVMC 6.40 ✓ Gaming Non-Restricted ✓ Gaming Restricted ✓ Slot Route Operator	Gaming Non-Restricted Gaming Restricted Slot Route Operator
Ice Cream Truck – LVMC 6.47	Ice Cream Truck
Locksmiths & Safe Mechanics – LVMC 6.51	Locksmiths
Martial Arts – LVMC 6.53	Martial Arts
Massage Establishments – LVMC 6.52	Massage Establishments
Outcall Entertainment – LVMC 6.57	Outcall Entertainment
Pawnbrokers and Auto Pawn – LVMC 6.60	Pawnbrokers and Auto Pawn
Pistol Permits – LVMC 10.66	Pistol Permit
Reflexology – LVMC 6.69	Reflexology
Secondhand Dealers – LVMC 6.74	Secondhand Sales
Teenage Dances - LVMC 6.80	Teenage Dances
Wedding Chapels – LVMC 6.84	Wedding Chapels

Responsibilities of Responsible Party

As the Responsible Party, you are assuming the responsibility for maintaining compliance with the Las Vegas Municipal Code, the Nevada Revised Statutes, and conditions on the business license, and/or Special Use Permit if applicable. You are further responsible for becoming knowledgeable on code changes, laws, and regulations as they apply to your business operations. Additionally, you are responsible for educating employees on laws and regulations pertaining to their job duties.

Actions that jeopardize the health, safety, and/or welfare of patrons could result in discipline or revocation of business license and/or criminal charges.

- Adult Nightclub – LVMC 6.06B
- Alcohol – LVMC 6.50
- Auctions and Auctioneers – LVMC 6.14
- Burglar Alarm - LVMC 6.18
- Erotic Dance – LVMC 6.35
- Escort Bureau – LVMC 6.36
- Gaming – LVMC 6.40
 - ✓ Gaming Non-Restricted
 - ✓ Gaming Restricted
 - ✓ Slot Route Operator
- Ice Cream Truck – LVMC 6.47
- Locksmiths & Safe Mechanics – LVMC 6.51
- Martial Arts – LVMC 6.53
- Massage Establishments – LVMC 6.52
- Outcall Entertainment – LVMC 6.57
- Pawnbrokers and Auto Pawn – LVMC 6.60
- Pistol Permits – LVMC 10.66
- Reflexology – LVMC 6.69
- Secondhand Dealers – LVMC 6.74
- Teenage Dances - LVMC 6.80
- Wedding Chapels – LVMC 6.84





MINIMUM DUTIES

- ✓ Authority to close the business or cease specific business operations e.g.; massage, martial arts, alcohol sales.
- ✓ Authority to suspend an employee from their current duties at the licensed establishment.
- ✓ Provide contact information of all responsible parties to Business License Officials and law enforcement upon request.
- ✓ Maintain and make available current **employee list** on-site for inspection by Business License Officials and law enforcement upon request.
- ✓ Maintain and make available employee and management work schedule on-site to Business License Officials and law enforcement upon request.
- ✓ Ensure that all employees have required cards in their possession while on duty.

Please Note

This list is not inclusive of your responsibilities as a Responsible Party pursuant to the laws and regulations specific to your establishment.



INSPECTION PROCESS

- ✓ **Purpose and Frequency**
- ✓ **Contact with License Officers and Expectations**
- ✓ **Investigative and Enforcement Powers**
- ✓ **Inspection forms**
- ✓ **Inspection Results**

INSPECTION PROCESS

Purpose of Inspections

The purpose of the inspection process is to ensure compliance with the following:

- Business licensing regulations pursuant to Las Vegas Municipal Code Title 6
- License conditions
- Las Vegas Municipal Code Title 9
- Land use entitlements and compliance with Special Use Permits pursuant to LVMC Title 19
- Nevada Revised Statutes (NRS)

Frequency of Inspections

- Pre-Issue Inspections
- Pre-Agenda Inspections
- Review Inspections
- Routine Inspections
- Investigative Inspections

INSPECTION PROCESS

What is a License Officer?

License Officers are employed to act on behalf of the City of Las Vegas. License Officer's conduct inspections, investigations, and enforcement on all persons subject to Title 6, Title 9, and Title 19 of the Las Vegas Municipal Code.

What to expect from a License Officer?

- You can expect to be greeted by a plain-clothed License Officer with a golden badge displayed in an identifiable location.
- The officer will identify him or herself and advise you as to the nature of their visit.
- The officer will then guide you through the rest of the visit, requesting to inspect and investigate aspects of your business that which are governed by the Las Vegas Municipal Code and the Nevada Revised Statutes.

INSPECTION PROCESS

Investigation and Enforcement Powers

Las Vegas Municipal Code 6.02.020 Department Investigation and Enforcement Powers

(A) The Department shall have the jurisdiction to investigate and enforce the provisions of this Title, Title 9 and the provisions of Title 19 as they relate to the use of land by, and impact of, businesses, professions and occupations.

(B) The Department shall have all powers which may be necessary or appropriate for a complete and effective exercise of its jurisdiction, including, but not limited to:

- (1) The power to enter and inspect the licensed premises at any time during the business hours of the licensee;
- (2) The power to examine and audit all books and other business records of a principal, licensee, applicant, or their employees or other persons acting under their control for purposes of determining ownership, the proper payment of license fees, and other issues relating to compliance with this Title;
- (3) The power to apply for and execute administrative search warrants based upon reasonable suspicion of a violation of this Title, Title 9 or Title 19
- (4) The power to issue citations pursuant to the provisions of NRS Chapter 171 for violations of this Title, Title 9 or Title 19
- (5) The power to issue, revoke, suspend or deny a business license, or temporary business license, as provided in this Chapter;

INSPECTION PROCESS

Investigation and Enforcement Powers

Las Vegas Municipal Code 6.02.020 Department Investigation and Enforcement Powers *(Continued)*

(B)The Department shall have all powers which may be necessary or appropriate for a complete and effective exercise of its jurisdiction, including, but not limited to:

(6) The authority to make expenditures as reasonably necessary to investigate a violation of this Title, Title 9 or Title 19; and

(7) The power to assess the following to a licensee for re-inspections after the initial inspection reveals violations of this Title, Title 9, or Title 19

(a) A service charge of ninety dollars for the initial re-inspection, if the licensee or its representative has not corrected or caused the correction of all violations to the Department's satisfaction by the established re-inspection date, such charge to reflect the partial cost of staff time and City resources;

(b) A service charge of one hundred twenty dollars for each subsequent re-inspection until all violations have been corrected to the Department's satisfaction, such charge to reflect the partial cost of staff time and City resources; and

(c) An administrative fee of ten percent of the amount of service charges assessed under Subparagraphs (a) and (b) above, to cover administrative costs of billing and receipting;

INSPECTION PROCESS

Investigation and Enforcement Powers

Las Vegas Municipal Code 6.02.020 Department Investigation and Enforcement Powers *(Continued)*

(C) The Department shall provide the licensee or its representative an appropriate billing to reflect service charges and administrative fees assessed under Paragraph (7) of Subsection (B) above. The billing shall include the date by which payment must be made, which must be at least sixty days after the billing is provided. If payment is not made by the date specified, the City may proceed to collect the amounts assessed in accordance with LVMC 6.02.250. Notwithstanding the provisions of this Subsection (C), the licensee or its representative may appeal the assessment of service charges and administrative fees, including the underlying determination that violations have occurred, by filing a written appeal with the Department within ten days after the billing is provided to the licensee or its representative. A hearing on the appeal will be conducted by the City Manager (or the City Manager's designee) within ten days after the appeal is filed, unless otherwise agreed to by the licensee and the person conducting the hearing. The period for payment is tolled during the pendency of an appeal.

(D) The Department is authorized to require identification or other information from a principal, licensee, applicant, or their employees or other persons acting under their control, at any time in furtherance of the exercise of its jurisdiction.

(E) During the course of investigating any crime or assisting in the enforcement of this Code, Metro has concurrent jurisdiction and authority to issue citations for the violations of this Title, Title 9 or Title 19 (Ord. No. 6164, § 2, 11-2-11; Ord. No. 6047, § 1, 7-15-09; Ord. 5873 § 1, 2006; Ord. 5081 § 2, 1998; Ord. 2186 § 2 (part), 1981; prior code § 5-1-3(A))

INSPECTION RESULTS

NO VIOLATIONS FOUND



What to Expect?

- Summary of the inspection
- Copy of completed inspection forms
- Education on ways to maintain a violation free business
- Education on ways your business could potentially “slip” into violation and how to avoid them
- Questions (this is your opportunity to address with the license officer any questions you may have regarding your business)

INSPECTION RESULTS

VIOLATIONS FOUND



What to Expect?

All Violations found during inspections or investigations can be enforced by either City of Las Vegas Business License Officers or The Metropolitan Police Department. The following is the enforcement procedure for The City of Las Vegas.

- Summary of the inspection
 - ✓ Explanation of violations found
 - ✓ Explanation of how to correct violations and due date to meet compliance
- Copy of completed inspection forms
- **Re-Inspection Fees**
 - ✓ 1st Failed Inspection: No re-inspection fee
 - ✓ 2nd Failed Inspection: \$99 re-inspection fee
 - ✓ 3rd and subsequent Failed Inspection: \$132 re-inspection fee
- **Correction Notice**
- **Notice of Violation**
- **Civil Citation**
 - ✓ Up to \$500 per offense found in violation of LVMC 6.50
- **Criminal citation**
 - ✓ Required promise to appear before magistrate – mandatory signature
- **Suspension or Revocation of License**

IMPORTANT

Any violation of the Las Vegas Municipal Code may result in civil and/or criminal penalties. Criminal penalties may result in imprisonment in jail for not more than 6 months, or by a fine of not more than \$1000.00, or by both fine and imprisonment in accordance with NRS 193.150.

Criminal

T-04835282 A

I am the Municipal Court
or I am the Justice Clerk of Clark County
Court Case # _____

**State of Nevada
CLARK COUNTY
Las Vegas Metropolitan Police Department**

COURT

Event #: _____

☐ Adult ☐ Juvenile

TRAFFIC/MISDEMEANOR CITATION/COMPLAINT

ID #: _____

☐ Traffic ☐ Accident
☐ Non-Traffic ☐ Misdemeanor
☐ Parking

☐ School Zone ☐ Hazardous
☐ Construction Zone ☐ S.T.E.P.
☐ Urban ☐ Rural

☐ Injuries ☐ Crime Report
☐ Officer's Report
☐ Evidence Logged ☐ Arrest
☐ Aircraft Clock Number
☐ Radar ☐ Other

Travel Direction: ☐ N ☐ S ☐ E ☐ W Boat/Airport: _____ Mile Marker: _____

At Location: _____

Violation Date: _____

Time: _____

Issue Date: _____

Time: _____

Way Code: ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7

Has Been Drinking: ☐ Yes ☐ No ☐ Unknown

Defendant Type: ☐ Driver ☐ Passenger ☐ Pedestrian

Test Type: ☐ PBT ☐ Blood ☐ Breath ☐ UA

Other Explain: _____

Drugs Suspected: _____ Results: %

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF NEVADA

(NAME, LAST, FIRST, Middle): _____

Social Security #: _____

Address: ☐ Physical ☐ Mailing _____

City: _____

State: _____

Zip: _____

County: _____

DOB: _____

Race: _____

Sex: _____

Height: _____

Weight: _____

Hair: _____

Eyes: _____

GLN / ID: _____

☐ CDL State: _____

Class: _____

Expiration: _____

Reductions: _____

Endorsements: _____

Vehicle has current proof of insurance? ☐ Yes ☐ No

Expiration Date of Insurance Card: _____

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE AT THE ABOVE LISTED LOCATION:

☐ Commercial Vehicle ☐ DOT # _____

VIN #: _____

Vehicle License: _____

Lic. State: _____

Expiration: _____

Year: _____

Make: _____

Model: _____

Type: _____

Color: _____

Reg. Owner: _____

(Name) _____

Address: _____

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

Predicted Speed: _____

Actual Speed: _____

Charged Speed: _____

☐ NRS

☐ CFR

☐ County Code

☐ Municipal Code

To Wit: _____

NRS/County/City # _____

CODE

☒ Violation _____

Violation Code: _____

To Wit: _____

☐ NRS

☐ CFR

☐ County Code

☐ Municipal Code

NRS/County/City # _____

CODE

Violation Code: _____

I certify (or declare) that I have reasonable grounds/probable cause to believe and do believe that above named person committed the above offense(s) contrary to law.

Officer/Complainant's PRINTED Name: _____

Officer/Complainant's Signature: _____

ISS: _____

DATE: _____

Las Vegas
Municipal Court
301 Levee Ave.
Las Vegas, NV
702-382-6079
702-694-8500

Las Vegas
Justice Court
200 Levee Ave.
Las Vegas, NV 89155
702-671-3444
1-877-671-3103

Golden Shores
Services
801 N. Prisco Rd.
Las Vegas, NV 89161
702-455-6300

Weekend Courts
Another Court
Box 18102
Hwy. 97 N. 26200
702-674-1406

SUMMARY



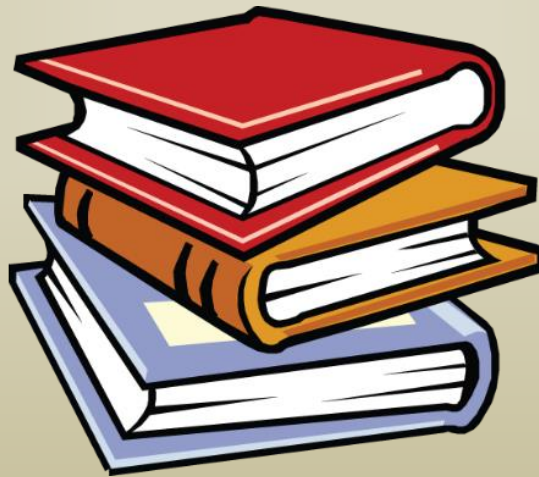
“The City of Las Vegas is committed to Building Community to Make Life Better.”

Our experienced A.C.T.I.O.N squad is here to help you succeed.

A well informed and compliant business contributes to the sustainability of our community. We look for opportunities to encourage and compliment iconic business operations and provide service value.

REFERENCES

- ✓ Las Vegas Municipal Code
- ✓ City of Las Vegas Business Services Protocol



QUESTIONS

